

HOUSE JOURNAL

SEVENTY-EIGHTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-FIFTH DAY — THURSDAY, APRIL 3, 2003

The house met at 11 a.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 163).

Present — Mr. Speaker; Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgenuth; Wolens; Wong; Woolley; Zedler.

Absent, Excused — Hunter; Telford.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today because of illness:

Telford on motion of Martinez Fischer.

On motion of Representative Reyna and by unanimous consent, all members who were granted leaves of absence on the previous legislative day were granted leaves for this legislative day.

RULES SUSPENDED

Representative Reyna moved to suspend all necessary rules in order to take up and consider at this time, on third reading and final passage, the bills on the local, consent, and resolutions calendar which were considered on the previous legislative day.

The motion prevailed without objection.

MOTION FOR ONE RECORD VOTE

One motion of Representative Reyna and by unanimous consent, the house agreed to use the first record vote taken for all those bills on the local, consent, and resolutions calendar that require a record vote on third reading and final passage, with the understanding that a member may record an individual vote on any bill with the journal clerk.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING

The following bills which were considered on second reading on the previous legislative day on the local, consent, and resolutions calendar were laid before the house, read third time, and passed by the following record vote (members registering votes and the results of the vote are shown following bill number).

(Record 164): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flynn; Gallego; Garza; Gattis; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker; Turner(C).

Absent, Excused — Hunter; Telford.

Absent — Flores; Geren; McClendon; Moreno, P.

STATEMENT OF VOTE

When Record No. 164 was taken, I was in the house but away from my desk. I would have voted yes.

Geren

HB 28

HB 147

HB 149

HB 671

HB 681

HB 816

HB 917

HB 935

HB 1030

HB 1095

HB 1295

HB 1309

HB 1631

HB 1649

HB 1650

HB 1819

HB 1948

HB 1959

The following bills which were considered on second reading on the previous legislative day on the local, consent, and resolutions calendar were laid before the house, read third time, and passed by a voice vote (members registering votes are shown following bill number):

HB 240

HB 462

HB 608

HB 660

SB 749

HB 739

HB 887

HB 980

HB 1666

HB 1677

HB 1820

HB 1944

HR 690 - ADOPTED

(by Rose)

Representative Rose moved to suspend all necessary rules to take up and consider at this time **HR 690**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 690, Welcoming a delegation of seventh grade students from Dripping Springs Middle School to the State Capitol on April 3, 2003.

HR 690 was adopted without objection.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES
CORRECTIONS IN REFERRAL**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

FIVE DAY POSTING RULE SUSPENDED

Representative Marchant moved to suspend the five day posting rule to allow the Committee on State Affairs to consider **HB 2922** and **HB 3508**.

The motion prevailed without objection.

PRINTING RULE SUSPENDED

Representative Marchant moved to suspend House Rule 12, Section 1(a)(1)(A) to enable the committee reports for **HB 2922** and **HB 3508** to be printed and distributed without the text of the introduced bills.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, upon final adjournment today, speakers committee room, for a formal meeting, to consider the calendar.

HR 692 - ADOPTED

(by Merritt, Van Arsdale, Rose, Pitts, Elkins, et al.)

Representative Merritt moved to suspend all necessary rules to take up and consider at this time **HR 692**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 692, Congratulating the members of The University of Texas womens basketball team on advancing to the NCAA 2003 Final Four and extending to them sincere best wishes for continued success in their quest for the national championship.

HR 692 was read and was adopted without objection.

On motion of Representative Baxter, the names of all the members of the house were added to **HR 692** as signers thereof.

HR 691 - ADOPTED

(by Van Arsdale, Merritt, Wong, Baxter, Keel, et al.)

Representative Van Arsdale moved to suspend all necessary rules to take up and consider at this time **HR 691**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 691, Congratulating the members of The University of Texas mens basketball team on earning a berth in the 2003 NCAA Division I Mens Basketball Championship Final Four and extending to them sincere best wishes for continued success.

HR 691 was read and was adopted without objection.

On motion of Representative Baxter, the names of all the members of the house were added to **HR 691** as signers thereof.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

CSHB 1849 ON SECOND READING

(by Allen)

CSHB 1849, A bill to be entitled An Act relating to the revocation process for certain persons released from the Texas Department of Criminal Justice on parole or mandatory supervision.

CSHB 1849 was read second time on Wednesday, April 2 and was postponed until 11 a.m. today.

CSHB 1849 was passed to engrossment.

GENERAL STATE CALENDAR

HOUSE BILLS

THIRD READING

The following bills were laid before the house and read third time:

HB 1191 ON THIRD READING**(by Allen, King, Flores, Geren, Baxter, et al.)**

HB 1191, A bill to be entitled An Act relating to the confidentiality of certain sensitive information.

HB 1191 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE BAXTER: Mr. Chairman, you are aware that I filed a similar bill that was heard in committee, and that had no opposition, that specifically exempted threat assessments from utilities from becoming public information?

REPRESENTATIVE ALLEN: Yes, I am aware of that.

BAXTER: Thank you. And you have reviewed my bill, and it is your intent that that bill covers these utilities?

ALLEN: Yes. The amendments that you offered yesterday should cover all of the utilities that were a concern to you.

BAXTER: So, it's your intent that this bill specifically covers electric utilities, power generation companies, retail electric providers, gas pipelines, gathering lines, and telecommunication utilities?

ALLEN: Yes. All of those that have critical infrastructure would be covered under my bill.

REMARKS ORDERED PRINTED

Representative Baxter moved to print remarks between Representative Baxter and Representative Allen.

The motion prevailed without objection.

A record vote was requested.

HB 1191 was passed by (Record 165): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis;

Solomons; Stick; Swinford; Talton; Taylor; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker; Turner(C).

Absent, Excused — Hunter; Telford.

HB 1221 ON THIRD READING

(by Telford, Homer, Merritt, Mabry, and Hopson)

HB 1221, A bill to be entitled An Act relating to an exclusion from unemployment compensation chargebacks based on a separation from employment resulting from an employer being called to active military duty.

A record vote was requested.

HB 1221 was passed by (Record 166): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker; Turner(C).

Absent, Excused — Hunter; Telford.

Absent — Brown, F.; Dukes; Miller; Rose.

HB 1083 ON THIRD READING

(by Baxter, et al.)

HB 1083, A bill to be entitled An Act relating to the prompt production of public information under the public information law.

A record vote was requested.

HB 1083 was passed by (Record 167): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker; Turner(C).

Absent, Excused — Hunter; Telford.

HB 724 ON THIRD READING

(by Hochberg)

HB 724, A bill to be entitled An Act relating to civil liability of alcoholic beverage providers for providing alcoholic beverages to certain individuals.

HB 724 was passed.

HB 1060 ON THIRD READING

(by Thompson, et al.)

HB 1060, A bill to be entitled An Act relating to prohibiting the promotion of certain improper photographs or visual recordings; providing a penalty.

HB 1060 was passed.

HB 1369 ON THIRD READING

(by Baxter and Crabb)

HB 1369, A bill to be entitled An Act relating to the local registration of retail electric providers.

HB 1369 was passed.

HB 258 ON THIRD READING

(by Pickett, McClendon, Peña, P. Moreno, Dukes, et al.)

HB 258, A bill to be entitled An Act relating to correcting errors in the distribution of benefits by a public retirement system.

A record vote was requested.

HB 258 was passed by (Record 168): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Campbell; Canales; Casteel; Castro; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker; Turner(C).

Absent, Excused — Hunter; Telford.

Absent — Callegari; Capelo; Chavez; Dukes.

STATEMENT OF VOTE

When Record No. 168 was taken, I was in the house but away from my desk. I would have voted yes.

Chavez

HB 89 ON THIRD READING

(by McClendon, Menendez, Naishtat, E. Jones, Crownover, et al.)

HB 89, A bill to be entitled An Act relating to a leave of absence for certain state employees who are donating an organ or bone marrow.

HB 89 was passed.

HB 530 ON THIRD READING

(by Giddings, Dutton, McCall, Turner, and Olivo)

HB 530, A bill to be entitled An Act relating to prohibiting the legislature from meeting on Martin Luther King, Jr., Day.

HB 530 was passed.

HB 32 ON THIRD READING

(by Hodge)

HB 32, A bill to be entitled An Act relating to certain writs of habeas corpus based solely on a claim of a time-served credit error.

A record vote was requested.

HB 32 was passed by (Record 169): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker; Turner(C).

Absent, Excused — Hunter; Telford.

HB 864 ON THIRD READING **(by Kolkhorst)**

HB 864. A bill to be entitled An Act relating to prohibiting the introduction or possession of certain items in correctional facilities or on certain property of the Texas Department of Criminal Justice; providing penalties.

Amendment No. 1

Representative Hodge offered the following amendment to **HB 864**:

Amend **HB 864** on 3rd reading as follows:

(1) In the SECTION of the bill amending Section 38.11(a), Penal Code, strike added Section 38.11(a)(3) and substitute the following:

(3) a cellular telephone, cigarette, tobacco product, or money to an inmate of a correctional facility operated by or under contract with the Texas Department of Criminal Justice.

(2) Add an appropriately numbered SECTION to the bill to read as follows and renumber existing SECTIONS accordingly:

SECTION ____ . Section 38.11(f), Penal Code, is amended by adding Subdivisions (3) and (4) to read as follows:

(3) "Cigarette" has the meaning assigned by Section 154.001, Tax Code.

(4) "Tobacco product" has the meaning assigned by Section 155.001, Tax Code.

Amendment No. 1 was adopted without objection.

HB 864, as amended, was passed.

HB 1231 ON THIRD READING

(by Geren, Seaman, Oliveira, Luna, and Dawson)

HB 1231, A bill to be entitled An Act relating to management of the Gulf Coast Intracoastal Waterway.

HB 1231 was passed.

HB 1236 ON THIRD READING

(by Hopson)

HB 1236, A bill to be entitled An Act relating to information required to be placed in a pen packet accompanying a defendant on transfer from county jail to the Texas Department of Criminal Justice.

HB 1236 was passed.

HB 1536 ON THIRD READING

(by Reyna and Goodman)

HB 1536, A bill to be entitled An Act relating to certain communication with and access to a child following termination of the parent-child relationship.

HB 1536 was passed.

HB 1075 ON THIRD READING

(by McCall)

HB 1075, A bill to be entitled An Act relating to criminal history record information for state agency information technology personnel.

HB 1075 was passed.

HB 1117 ON THIRD READING

(by J. Keffer, Seaman, et al.)

HB 1117, A bill to be entitled An Act relating to the clarification by a county of the existence of a public interest in certain roads.

HB 1117 was passed.

HB 1282 ON THIRD READING

(by McCall, Menendez, Casteel, West, Rose, et al.)

HB 1282, A bill to be entitled An Act relating to commercial electronic mail; providing penalties.

HB 1282 was passed.

HB 872 ON THIRD READING

(by Denny)

HB 872, A bill to be entitled An Act relating to the dates on which elections may be held.

Amendment No. 1

Representative Denny offered the following amendment to **HB 872**:

Amend the second reading engrossment of **HB 872** as follows:

(1) In SECTION 6 of the bill, strike "Sections 41.001(d) and (e), Election Code, are" and substitute "Section 41.001(d), Election Code, is".

(2) Insert the following appropriately numbered SECTION of the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 41.001(e), Election Code, is amended to read as follows:

(e) In addition to a date prescribed by Subsection (a), an [An] election for an office in which a majority vote is required and that is [may not be held on the September or February uniform election date. This subsection does not apply to an election] conducted under Section 26.045, Local Government Code, may be held on the first Saturday in February or the second Saturday in September, which are considered to be dates that comply with Subsection (a) and Section 26.045, Local Government Code.

Amendment No. 1 was adopted without objection.

HB 872, as amended, was passed. (D. Jones recorded voting no)

HR 221 - ADOPTED
(by Ellis)

Representative Ellis moved to suspend all necessary rules to take up and consider at this time **HR 221**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 221, Honoring the Corrigan-Camden High School Bulldogs on winning the 2002 State Class 2A Division I football championship.

HR 221 was adopted without objection.

GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING

The following bills were laid before the house and read second time:

HB 1189 ON SECOND READING
(by Talton)

HB 1189, A bill to be entitled An Act relating to alternative dispute resolution procedures in certain police departments.

HB 1189 was passed to engrossment.

HB 1350 ON SECOND READING**(by Uresti)**

HB 1350, A bill to be entitled An Act relating to an evaluation of public funding for children's mental health services.

HB 1350 was passed to engrossment.

HB 245 ON SECOND READING**(by J. Keffer and Christian)**

HB 245, A bill to be entitled An Act relating to the disposition by counties of motor vehicle registration fees and sales tax revenue.

HB 245 was passed to engrossment.

CSHB 220 ON SECOND READING**(by Hupp)**

CSHB 220, A bill to be entitled An Act relating to the confidentiality of certain records maintained by the Department of Public Safety regarding persons licensed to carry a concealed handgun.

CSHB 220 was passed to engrossment. (Allen, Deshotel, Gallego, and Thompson recorded voting no)

CSHB 220 - REASON FOR VOTE

As a matter of policy, I believe all records should be public unless there is a compelling public policy reason to withhold them. I am aware of no such reason in this instance.

Gallego

CSHB 623 ON SECOND READING**(by Goolsby)**

CSHB 623, A bill to be entitled An Act relating to the regulation of motor vehicle title services.

CSHB 623 was passed to engrossment.

HB 1535 ON SECOND READING**(by R. Cook and Kolkhorst)**

HB 1535, A bill to be entitled An Act relating to the use of certain fees by groundwater conservation districts.

HB 1535 was passed to engrossment.

HB 829 ON SECOND READING**(by Hughes)**

HB 829, A bill to be entitled An Act relating to jurisdiction to enter certain orders in a failure to attend school proceeding.

HB 829 was passed to engrossment.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 13).

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Border and International Affairs, upon final adjournment today, Desk 75, for a formal meeting.

Criminal Jurisprudence, upon final adjournment today, Desk 59, for a formal meeting, to consider **HB 182**, **HB 745**, **HB 869**, and **HB 1634**.

Energy Resources, will reconvene at 1:00 p.m. today, E2.014.

Human Services, upon final adjournment today, Desk 114, for a formal meeting, to consider **HB 1423** and **HB 2298**.

Redistricting, upon final adjournment today, E2.036.

Agriculture and Livestock, 30 minutes after final adjournment today, regular committee room.

Juvenile Justice and Family Issues, 12:30 p.m. today, E2.028.

ADJOURNMENT

Representative Phillips moved that the house adjourn until 10 a.m. Monday, April 7 in memory of the Honorable Bob Bush, former house member.

The motion prevailed without objection.

The house accordingly, at 12:06 p.m., adjourned until 10 a.m. Monday, April 7.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HCR 164 (By Harper-Brown), Honoring Chief Warrant Officer David S. Williams for bravery displayed in Operation Iraqi Freedom.

To Rules and Resolutions.

HCR 165 (By Harper-Brown), Honoring U.S. Army Sergeant James Riley for heroism displayed in Operation Iraqi Freedom.

To Rules and Resolutions.

HCR 166 (By Harper-Brown), Honoring U.S. Army pilot Ronald Young, Jr., for bravery displayed in Operation Iraqi Freedom.

To Rules and Resolutions.

HCR 167 (By Harper-Brown), Honoring U.S. Army Specialist Edgar Hernandez for heroism displayed during Operation Iraqi Freedom.

To Rules and Resolutions.

HCR 168 (By Harper-Brown), Honoring U.S. Army Specialist Shoshana Johnson for her bravery displayed in Operation Iraqi Freedom.

To Rules and Resolutions.

HR 650 (By Hope), Congratulating the Montgomery County Soil and Water Conservation District on being named the state's Outstanding Conservation District for 2002.

To Rules and Resolutions.

HR 651 (By F. Brown), Honoring the County and District Clerks Association of Texas.

To Rules and Resolutions.

HR 653 (By Farrar), Commending all those who participated in the M. D. Anderson Family YMCA's Playground Build Day on March 1, 2003.

To Rules and Resolutions.

HR 654 (By Farrar), Honoring the Reagan Vertical Team Festival of the Arts 2003.

To Rules and Resolutions.

HR 655 (By Farrar), Recognizing Jack and Jessica Robinson for participating in the Honorary Page Program.

To Rules and Resolutions.

HR 656 (By Farrar), Commending Jacob and Jeremy Corona for their participation in the Honorary Page Program.

To Rules and Resolutions.

HR 659 (By Paxton), Honoring Zachary Albert of Allen on being named a Distinguished Finalist for a 2003 Prudential Spirit of Community Award.

To Rules and Resolutions.

HR 661 (By Allen), Honoring Teri Jackson on her tenure with the Grand Prairie City Council.

To Rules and Resolutions.

HR 662 (By Allen), In memory of Officer Paul Aaron Emerson of Port Arthur.

To Rules and Resolutions.

HR 663 (By Wise), Honoring Principal Emilio T. Garcia, Jr., of the Mercedes Alternative Academy for his commitment to education.

To Rules and Resolutions.

HR 664 (By Wise), Congratulating Ernie Dominguez for being named Homecoming King at Southwest Texas State University.

To Rules and Resolutions.

HR 665 (By Wise), Congratulating Jose "Joe" Calvillo, Jr., on the occasion of the dedication ceremony for the Joe Calvillo Jr. Career and Technology Educational Complex.

To Rules and Resolutions.

HR 666 (By West), Congratulating Evelyn Pitts on her selection as First Lady of Waxahachie for 2003.

To Rules and Resolutions.

HR 667 (By Howard), Honoring Laura Elena Van Wagoner and Andrew James Morris on their recent wedding.

To Rules and Resolutions.

HR 670 (By Phillips), Recognizing April 7, 2003, as County Government Day in Texas.

To Rules and Resolutions.

HR 674 (By Hunter), Congratulating Tony McMillan of Abilene on being named Manager of the Year by the Texas Association of Fairs and Events.

To Rules and Resolutions.

HR 675 (By King), Congratulating the Brock High School girls' basketball team on winning the 2003 UIL Class 2A state title.

To Rules and Resolutions.

HR 678 (By Mercer), Honoring Juan Alvarado of San Antonio on his retirement from the Southwest ISD Board of Trustees after 24 years of service.

To Rules and Resolutions.

HR 679 (By Seaman), Recognizing April 8, 2003, as REALTOR Appreciation Day at the State Capitol.

To Rules and Resolutions.

HR 681 (By Hunter), Honoring Judge Jack Pope for his lifetime of service to the state of Texas on the celebration of his 90th birthday.

To Rules and Resolutions.

HR 682 (By Pickett), Honoring Dr. Seymour Ash and Mrs. Margaret Jeanne Ash of El Paso on their 51st wedding anniversary.

To Rules and Resolutions.

SB 132 to County Affairs.

SB 264 to Urban Affairs.

SB 404 to Transportation.

SB 618 to Public Education.

SB 946 to Law Enforcement.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

HB 2798 (By Keel), Relating to authorizing the state auditor to commission investigators as peace officers.

To Law Enforcement.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

Senate List No. 13

SB 510

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 2

Agriculture and Livestock - **HB 2008, HB 2012**

Business and Industry - **HB 1054**

Corrections - **HB 1372**

Higher Education - **HB 882, HB 944, HB 1316, HB 1537, HB 1566, HB 1890, HB 2116**

State Affairs - **HB 219, HB 426, HB 500, HB 593, HB 845, SB 121**

Transportation - **HB 1007, HB 1049, HB 1237, HB 1784, HB 1831, HB 1997, HB 2091, HB 2092, HB 2096, HCR 82**

ENGROSSED

April 2 - HB 157, HB 227, HB 254, HB 296, HB 320, HB 653, HB 900, HB 1195, HB 1208, HB 1378, HB 1471, HB 1735, HCR 15, HCR 75

SENT TO THE GOVERNOR

April 2 - HCR 43, HCR 96, HCR 157

